

**Amendment No. 1 to HJR0228**

**Garrett  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND <SB>**

**House Joint Resolution No. 228\***

By deleting all language after the caption and by substituting instead the following:

WHEREAS, The General Assembly of the State of Tennessee wishes the citizens of this State and of the United States to have clean water, clean air, and an environment free of toxic or otherwise harmful agents for present and future generations; and

WHEREAS, The supply of gasoline available to citizens of Tennessee and of this Nation presently contain a number of constituent compounds and additives that may pose risks to the public health and to the environment, one of which is methyl tertiary butyl ether (MTBE), an oxygenate utilized to meet the oxygen content mandates of the Clean Air Act; and

WHEREAS, A University of California study concluded that regulatory requirements significantly impacting gasoline composition may have unexpected environmental consequences; and

WHEREAS, The United States Environmental Protection Agency (U.S. EPA) has referenced a growing number of studies that have detected MTBE in drinking water supplies throughout the country; and

WHEREAS, MBTE has been detected in 47 Tennessee water supplies and was the sole contaminant in 11 of those supplies; one such supply contained MTBE in excess of the Environmental Protection Agency (EPA) warning level; and

WHEREAS, In 1996, the City of Santa Monica, California, found MTBE in two (2) of its waterwell fields; in response to the health risk, fifty percent (50%) of the city's drinking water supply was shut down, and the city had to purchase replacement water at a significant cost; and

WHEREAS, Studies have shown that MTBE is resistant to natural biodegradation; and

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**House Joint Resolution No. 228\***

WHEREAS, An EPA Blue Ribbon Panel, made up of leading experts from the public health, environmental and scientific communities, fuel industry and water utilities, after a six-month investigation, recommended a phase-down in the use of MTBE, repeal of the 2 percent oxygen mandate, improvements in the nation's groundwater protection programs, maintenance of the current air quality benefits of the program, accelerated research, and that MTBE eventually be eliminated as a fuel additive; and

WHEREAS, At low levels of concentration, the smell and taste of MTBE can make water undrinkable; thus the continued use of MTBE as a fuel additive may constitute a continuing threat to the groundwater and drinking water supply of this State and of the Nation; and

WHEREAS, MTBE is present in one third of the Tennessee gasoline supply but only accounts for up to 4 percent by volume; this indicates that a phase-down of MTBE would not significantly effect the supply of gasoline; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That the Congress of the United States is hereby urged to take action to repeal the oxygenate requirement and to phase-down the use of MTBE as a fuel additive.

BE IT FURTHER RESOLVED, That enrolled copies of this resolution be sent to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States and to each member of Tennessee's Congressional delegation.